

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2022 ND 50

Mark Allen Rogers, Petitioner and Appellant

v.

State of North Dakota, Respondent and Appellee

No. 20210260

Appeal from the District Court of Ward County, North Central Judicial District, the Honorable Todd L. Cresap, Judge.

AFFIRMED.

Per Curiam.

Kiara C. Kraus-Parr, Grand Forks, ND, for petitioner and appellant.

Christopher W. Nelson, Assistant State's Attorney, Minot, ND, for respondent and appellee.

Rogers v. State
No. 20210260

Per Curiam.

[¶1] Mark Allen Rogers appeals from a district court order denying his petition for postconviction relief. Rogers sought to withdraw his guilty plea, claiming his trial counsel was ineffective and there was an insufficient factual basis for his guilty plea. The court denied Rogers’ petition for postconviction relief. We conclude the district court did not clearly err in finding Rogers failed to meet his burden to prove ineffective assistance of counsel and in denying Rogers’ petition for postconviction relief. We summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶2] Jon J. Jensen, C.J.
Gerald W. VandeWalle
Daniel J. Crothers
Jerod E. Tufte
Norman G. Anderson, S.J.

[¶3] The Honorable Norman G. Anderson, S.J., sitting in place of McEvers, J., disqualified.